

Conewago Township Zoning Hearing Board

Minutes of Meeting held on: Wednesday, November 3, 2021 Time: 6:00pm

Case Number 5-2021 & Case Number 6-2021

Meeting called to order at 6:00pm by Gerald Lippy.

Meeting began with the Pledge of Allegiance to the Flag.

In attendance were board members:

Gerald Lippy

Kelly McKee

George Weih - Secretary

It was determined that a quorum was present.

Also in attendance were:

David W. Arndt, Jr. – Conewago Township Zoning & Code Enforcement Officer

Harold A. Eastman, Jr. Esq. – Zoning Hearing Board Solicitor

Matt Teeter, Esq. – As an alternate ZHB Solicitor for Case Number 5-2021

Corrie Ondrizek – Stenographer

Secretary Weih made a motion to appoint Gerald Lippy as Acting ZHB Chairman for tonight's Board meeting. (Approval vote 3-0)

There were ten people in the audience.

Minutes from the September 29, 2021 meeting were approved as written. (Vote: 3-0)

There were no continued hearings and no old business.

Acting Chairman Lippy called for all who intend to provide testimony during the meeting to sign the attendance sheet and then swore them in.

Case #5-2021

Acting Chairman Lippy opened the hearing for Zoning Hearing Board Case #5-2021 pertaining to a request for variance relief from Section 155-37.F of the Zoning Ordinance of Conewago Township.

Harold Eastman, the Zoning Hearing Board Solicitor, explained to the Board and the attendees that Matt Teeter, Esq., of the Teeter Law Offices in Gettysburg, would fill the role of Solicitor for Case #5-2021 because of a conflict of interest with the attorney for the applicant, who works for the same Law Firm as Mr. Eastman.

Zoning and Code Enforcement Officer David W. Arndt, Jr. presented the following: The purpose of the zoning hearing in Case No. 5-2021 is to consider an Application to the Zoning Hearing Board filed by the Applicant, 351 Church Street, LP, relative to certain real property identified by address as 351 Church Street, Hanover, Conewago Twp., Adams Co., PA. The

real property, which is located in the Township's Industrial Zone (I) zoning district, is further identified as Adams County Tax Map/Parcel ID No.: 08101-0009—000. The Applicant is requesting the grant of a variance from section 155-37.F of the Conewago Township Zoning Ordinance to reduce the minimum number of required parking spaces for Applicant's use of the property. The Applicant is also requesting the grant of a special exception pursuant to section 155-37.F.(3) of the Zoning Ordinance for alternative off-street parking standards for application to its manufacturing and warehouse facility use.

Acting Chairman Lippy called for testimony from the applicant. Jayne Katherman, attorney for the applicant, presented Exhibit #1, a drawing of the property site as it is now. She also presented Exhibit #2, a drawing showing the proposed changes to the property, including the proposed loading pad, environmental area changes, and parking changes. The applicant's first witness, Joseph Bican, the plant manager, gave testimony including an explanation of the products produced at the plant, and the storm water management area on the property. He also testified as to the number of parking spaces used at the facility, future employee numbers, and the need to install a new dock for the building. Robert Sharrah, president of Sharrah Design Group, Inc., gave testimony explaining the drawings they prepared for the changes on the site.(Exhibit #1 & Exhibit #2)

Acting Chairman Lippy opened the hearing to questions from the Board. The Board had several questions about the number of employees at the facility, the number of employees on each shift, and the number of trucks leaving the facility each day,

Acting Chairman Lippy called for any objector's testimony. There were no objectors, but one neighbor had some questions for the applicant about the number of employees and the grading for the environmental area.

Acting Chairman Lippy opened the hearing to Township questions. Dave Arndt stated the applicant still needed permits for the new pads, and a grading agreement for the green area on the plot plan, including a maintenance agreement for that area.

Acting Chairman Lippy asked for any concluding remarks from the Applicant.

Acting Chairman Lippy asked for any concluding remarks from the Township. (none)

The Board Solicitor had several questions for the Applicant about the number of employees.

At 6:39pm Acting Chairman Lippy called for an executive session to review the case.

At 7:42pm Acting Chairman Lippy reconvened the meeting. Secretary Weih read a Motion to GRANT the special exception requested with 2 special conditions. (Vote 3-0)

Secretary Weih read a motion to direct the zoning Hearing Board Solicitor to complete the written decision document. (Vote 3-0)

The Board Solicitor explained the decision of the Board

A recess was granted to allow the Board Solicitor Harold Eastman to resume his role for case #6-2021

Case #6-2021

The ZHB meeting was reconvened at 7:50pm

Acting Chairman Lippy opened the hearing for Zoning Hearing Board Case #6-2021 pertaining to a request for a special exception pursuant to sections 155-19(8) and (10) from the Zoning Ordinance of Conewago Township.

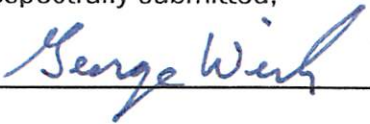
The applicant for CASE #6-2021, Dennis E. Stem, stated his attorney could not be present tonight and asked for a continuance of the case until the December 1, 2021 ZHB Hearing so he could be represented by his attorney. His request was granted. (Vote 3-0)

Acting Chairman Lippy called for any unfinished business. Harold Eastman notified the Board he received a letter regarding the Racehorse Road, LLC – Substantive Validity Challenge, for a continuation to extend the hearing date until March 2022.

Acting Chairman Lippy called for any new business. (none)

The hearing was adjourned at 8:02pm. (Vote 3-0)

Respectfully submitted,



George Weih, Secretary, Conewago Township Zoning Hearing Board